

NATIONAL COMPANY LAW APPELLATE TRIBUNAL
NEW DELHI

Company Appeal (AT) No. 362 of 2017

IN THE MATTER OF :

India Awake for Transparency

... Appellant

Versus

**Hasham Investment and Trading
Company Private Limited & Ors.**

... Respondents

Present: For Appellant :

For Respondents : Shri P.B. Suresh, Advocate

O R D E R

08.11.2017 On appearing, learned counsel for the respondents submits that the appellant is not a member of the company and, therefore, the application for 'waiver' under proviso to sub-Section (1) of Section 244 of the Companies Act, 2013 will not be applicable. Reliance has been placed on the decision of this Appellate Tribunal in "*Cyrus Investments Pvt. Ltd. & Anr. Vs. Tata Sons Ltd. & Ors.*" reported in '2017 SCC OnLine NCLAT 261'.

Learned counsel for the respondents prays for and allowed a week's time to file reply. Rejoinder, if any, be filed within a week thereof.

Post the matter on 23rd November, 2017.

[Justice S.J. Mukhopadhaya]
Chairperson

[Balvinder Singh]
Member (Technical)

[Justice A.I.S. Cheema]
Member (Judicial)

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